REMARKS

Claims 1-8, 10-18, 20-27 and 29-35 are currently pending in the subject application and are presently under consideration. Claims 9 and 19 have been cancelled herein and claims 1-3, 6, 8, 10-12, 15, 17-18, 20-23, 25, 27, 30 and 33 have been amended as shown on pp. 2-8 of the Reply to further emphasize novel aspects of applicants' claimed invention.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I.   Rejection of Claims 1-8, 18 and 23-25 Under 35 U.S.C. §103(a)

Claims 1-8, 18 and 23-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Renaud *et al.* (U.S. 5,958,051) in view of Shaw (U.S. App. 2002/0026634). Withdrawal of this rejection is respectfully requested in view of the amendments to independent claims 1, 18 and 23.

> To reject claims in an application under §103, an examiner must establish a *prima facie* case of obviousness. A *prima facie* case of obviousness is established by a showing of three basic criteria. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, *to modify the reference or to combine reference teachings.* Second, there must be a reasonable expectation of success. Finally, *the prior art reference (or references when combined) must teach or suggest all the claim limitations. See* MPEP §706.02(j). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. *See In re Vaeck,* 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991) (emphasis added).

Claims 1, 18 and 23 have been amended to include aspects of dependent claims 9 and 19. More specifically, amended claim 1 recites *providing an assembly manifest with a hash of a manifest of at least one other assembly that the assembly depends on* and amended claims 18 and 23 recite a *hash of a manifest of the at least one referenced assembly.* Renaud *et al.* and Shaw *et al.* (and Evans *et al.* U.S. 5,805,899 and Graunke *et al.* U.S. 5,991,399), alone or in combination, do not teach or suggest a hash of a manifest of a referenced assembly as claimed.

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The Examiner concedes that Renaud *et al.* does not "disclose a manifest with a hash of a manifest of one referenced assembly of the list of referenced assemblies." (*See* Office Action dated April 21, 2005, pg. 8). The Examiner, however, contends that Renaud teaches representing a manifest with a hashed representation (signature 322 – Fig. 3B). (*See* Office Action dated April 21, 2005, pg. 8). However, the hashed representation (*e.g.*, signature) is not a hash of a manifest, but is rather a hash of a signature. Thus, Renaud *et al.* does not teach or suggest that the manifest is provided with a hash of a manifest of the at least one referenced assembly as is recited in the subject claims.

Shaw fails to make up for the aforementioned deficiencies of Renaud *et al.* Shaw relates to a system for secure downloading of data. (*See* Abstract). Shaw discloses a table of hashes of segments of application code. (*See* Para 0034). Accordingly, Shaw discloses a hash of a code segment or module. However, Shaw fails to teach a hash of a manifest of an assembly. As is known in the art, an assembly refers to a grouping of files (modules) necessary to perform a particular application, and modules are portion(s) of a computer program that are created to carry out a particular function within the application, and can be utilized alone or combined with other modules in connection with enabling proper operation of the particular application. Shaw discloses hashing the files or modules rather than the list of files or manifest. As discussed in the specification "[h]ashing the manifest of the referenced assembly is sufficient because that manifest in turn includes hashes of all its constituent files." (*See* pg. 3 ll. 18-20). Hashing the entire assembly would require more processing and decrease efficiency. Therefore, it is readily apparent that Shaw fails to teach a hash of a manifest of an assembly.

Evans *et al.* fails to make up for the deficiencies of Renaud *et al.* and Shaw. Evans *et al.* relates to providing versioning information for a plurality of software objects. (*See* abstract). More particularly, Evans *et al.* utilizes a hash value that is generated from the name of a version using a conventional ELF hashing function. (*See* Col. 11, ll. 46-48). However, Evans *et al.* does not teach or suggest hashing a manifest of a referenced assembly. Further, Graunke *et al.* fails to make up for the deficiencies of Renaud *et al.*, Shaw and Evans *et al.* Graunke *et al.* relates to a method for distributing private keys to user application programs to decrypt encrypted digital content. (*See* Abstract). The Examiner asserts that Graunke *et al.* teaches that "a manifest is a signed information structure submitted by a manufacturer for identifying references to other hashed assemblies being delivered for integrity checking." (*See* Office Action dated April 21,

2005, pg. 8). However, as described by Graunke *et al.* the manifest references digital objects (*e.g.*, executable code), not assemblies. (*See* Fig. 3 and Col. 6 ll. 53-56). Furthermore, The Graunke *et al.* teaches hashing the entire digital objects, rather than the hash of a manifest or list of files of an assembly.

In view of at least the above, it is respectfully submitted that the Renaud *et al.* and Shaw (and Evans *et al.* and Graunke *et al.*), alone or in combination, do not make obvious applicants' invention as recited in independent claims 1, 18 and 23 as amended, and dependent claims 2-8, and 24-25 which respectively depend therefrom. Accordingly, this rejection should be withdrawn.

II. **Rejection of Claims 10-17, 22, 27 and 29-35 Under 35 U.S.C. §103(a)**

Claims 10-17, 22, 27 and 29-35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Renaud *et al.* (U.S. 5,958,051) in view of Evans, *et al.* (U.S. 5,805,899) in view of Graunke, *et al.* (U.S. 5,991,399). Withdrawal of this rejection is respectfully requested for at least the following reasons. Renaud *et al.*, Evans *et al.* or Graunke *et al.*, alone or in combination, do not teach or suggest all the limitations of the subject claims.

In particular, Renaud *et al.*, Evans *et al. and* Graunke *et al.* do not teach or suggest providing the *assembly manifest with a hash of a manifest of at least one referenced assembly of the list of referenced assemblies* as recited in independent claim 10, an assembly including *a hash of the contents of a second manifest of at least one referenced assembly* as recited in independent claim 22, a second component that provides *an assembly manifest with a hash of a manifest of the at least one referenced assembly* as recited in independent claim 27, or providing *an assembly manifest with a hash of a second manifest of at least one related assembly* as recited in independent claim 30.

As discussed above, the Examiner concedes that Renaud *et al.* does not disclose a manifest with a hash of a manifest of one referenced assembly of the list of referenced assemblies, and Evans *et al.* and Graunke, *et al.*, alone or in combination, fail to make up for the deficiencies of Renaud *et al.*. More particularly, as discussed *supra*, Graunke *et al.* discloses a hash of a digital object, and fails to teach a hash of a manifest of an assembly as claimed.

In view of at least the above, it is respectfully submitted that Renaud *et al.*, Evans *et al.* and Graunke *et al.* do not make obvious applicants' invention as recited in independent claims

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10, 22, 27, and 30, and dependent claims 11-17, 29, 31-35 which respectively depend therefrom. Accordingly, this rejection should be withdrawn.

III.   Rejection of Claims 9 and 19-21 Under 35 U.S.C. §103(a)

Claims 9 and 19-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Renaud *et al.* (U.S. 5,958,051) and Shaw (U.S. App. 2002/0026634) as applied to claims 18 and 23 and further in view of Evans, *et al.* (U.S. 5,805,899) and Graunke, *et al.* (U.S. 5,991,399). Claims 9 and 19 have been cancelled and claims 20-21 have been amended to depend from independent claim 18. Accordingly, this rejection should be withdrawn for at least the reasons discussed above with respect to claim 18.

IV.   Rejection of Claim 26 Under 35 U.S.C. §103(a)

Claim 26 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Renaud *et al.* (U.S. 5,958,051) and Shaw (U.S. App. 2002/0026634) as applied to claim 23, and further in view of Graunke, *et al.* (U.S. 5,991,399). Claim 26 depends from independent claim 23. This rejection should be withdrawn for the reasons discussed above with respect to claim 23.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063 [MSFTP119US].

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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